

**REMARKS**

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 3-18, and 20-25 are pending in the present application. Claims 1, 10, 18, and 22 are the independent claims.

Claims 2 and 19 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 10, and 18 have been amended. No new matter has been added.

Claims 1, 8-10, 14, 16-18, 20 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0193854 (Lee et al.) in view of U.S. Patent Nos. 5,663,843 (Ezawa et al.). Claims 3, 6, 11, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of (Ezawa et al.), and in further view of U.S. Patent No. 6,091,553 (Song et al.). Claims 4, 5, 12, 15, 21 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. in view of Ezawa et al., in further view of Song et al., and even further view of U.S. Publication No. 2001/0038581 (Kawano et al.). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, at least one damping member disposed ... so that a size of a second resonant peak is reduced.

Independent claim 10 recites, inter alia, a damping member disposed ... so that a size of a second resonant peak is reduced.

Independent claim 22 recites, inter alia, reducing a frequency of a second resonance peak of an optical pickup.

However, Applicants respectfully submit that none of the asserted combinations teaches or suggests at least the aforementioned features of independent claims 1, 10, and 22. Thus, while not concede the propriety of the asserted combinations, for at least this reason, the asserted combinations of citations are deficient.

The Office Action concedes that the primary citation to Lee et al. does not disclose the aforementioned features of independent claims 1, 10, and 22. (Office Action, pages 2 and 3). Nonetheless, the Office Action contends that the secondary citation to Ezawa et al. provides the necessary teaching of these features. (Id.). This contention is respectfully traversed.

Ezawa et al. relates to an optical system driving apparatus and discusses an arrangement including viscoelastic members 3a and 3b between a holder 2 and respective focusing coils 4a and 4b. (Ezawa et al., Col. 7, lines 1-11, FIG. 6). The viscoelastic members dampen a resonance. FIG. 8 of Ezawa et al. illustrates the effect of the damping of a resonance by the viscoelastic members.

The Office Action, citing FIG. 8 of Ezawa et al., asserts that this damping meets that aforementioned feature of independent claims 1, 10, and 22. (Office Action, page 2). However, a review of FIG. 8 reveals that the specific damping is not to a second resonance peak.

Accordingly, it is submitted that combining Lee et al. with Ezawa et al., in the manner proposed by the Office Action, fails to teach or suggest at least the aforementioned features of independent claims 1, 10, and 22. Thus, favorable reconsideration and withdrawal of the rejection of independent claims 1, 10, and 22 under 35 U.S.C. § 103 are respectfully requested.

Independent claims 1 and 10 patentably define over the citations of record for at least another reason, along with independent claim 18.

Independent claim 1 recites, inter alia, that magnetic driving unit includes: first magnets disposed at opposing sides of a bobbin, respectively; tracking coils which are wound around the bobbin to oppose respective ones of the first magnets; second magnets which are spacedly disposed from respective ones of the first magnets, respectively; and focusing coils which are wound between the first magnets and the second magnets, and that a first damping member is disposed at a center portion of the focusing coils.

Independent claim 10 recites, inter alia, a damping member disposed at shoulder portions of both sides of a receiving hole near an objective lens so that a size of a second resonant peak is reduced.

Independent claim 18 recites, inter alia, damping vibration of an optical pickup during tracking at at least one location where the great change occurs during the tracking, and that the damping includes at least one of damping vibration at a center of focusing coils of the optical pickup and damping the vibration at corners of a bobbin of the optical pickup.

The Office Action contends that the viscoelastic members 3a and 3b of Ezawa et al. are dampening members. (Office Action, page 3). However, as FIG. 6 of Ezawa et al. (a portion cited by the Office Action) shows, the viscoelastic members do not meet the aforementioned features of independent claims 1, 10, and 18. For example, the Ezawa et al. viscoelastic members are not disposed at shoulder portions of sides of a receiving hole.

Accordingly, it is submitted that combining Lee et al. with Ezawa et al., in the manner proposed by the Office Action, fails to teach or suggest at least the aforementioned features of independent claims 1, 10, and 18. Thus, favorable reconsideration and withdrawal of the rejection of independent claims 1, 10, and 18 under 35 U.S.C. § 103 are respectfully requested.

Regarding the rejection of claims 3-7, 11, 12, 15, 19, 21, and 23-25 under 35 U.S.C. § 103, the secondary citations to Song et al. and Kawano et al. respectively relate to a pickup actuator and an optical pickup.

The secondary citations to Song et al. and Kawano et al., however, fail to compensate for the deficiencies of the combination of Lee et al. and Ezawa et al. discussed above. Accordingly, without conceding the propriety of the asserted combinations, it is submitted that the proposed combinations fail to teach or suggest at least the aforementioned features of independent claims 1, 10, 18, and 22.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, The Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 6-27-06

By:   
Michael E. Kondoudis  
Registration No. 42,758

1201 New York Avenue, NW, 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501